- 1. That Edwin C.Markell and J.Roger McSherry A ministrators D.P.N.C.T.S.of George Markell, deceased, sold at public sale on the 5th, day of August A.D. 1905 in Frederick City Maryland, a farm of 218 acres, more or less, some lots in Frederick City, Maryland, and a wood lot in Urbana District, as will appear by reference to their report of sales filed in the Orphans Court of Frederick County, Maryland; and also sold at private sale on Aug, 15-1905, two lots in Frederick City; Maryland and have duly reported said sales and sold on Aug, 5, 1905 at private sale a farm of 213 A. to Elizabeth Markell.
- 2. That your Petitioners desire to unite with the heirs at law and the other parties in interest in securing the immediate ratification of these sales, without the publication of the usual order nisi.
- 3. Your Petitioners as Substituted Trustees pray your Honors to pass an order authorizing and impowering then to consent in writing as order such Substituted Trustees to an immediate ratification of the second reports of sale of said Real Estate so filed in the Orphans Court of Frederick County, Maryland, without the publication of the usual order nisi, and as in duty bound.

J. Roger McSherry Sclicitor. Thomas A. Chapline
Charles Byerly
Trustees.

Ordered by the Circuit Court for frederick County Maryland, sitting as a Court of Equity this 16th day of August A.D. 1905 the aforegoing Petition having been read and considered that the said Thomas A.Chapline and Charles Byerly Substituted Trustees, be and they are hereby authorized and empowered to consent in writing as substituted Trustees for Mary Byerly to an immediate ratification of the second reports of sales of the Real Estate made as herein described, without the publication of the usual order nisi.

(Filed August 16th, 1905)

John C.Motter.

PETITION AND COURT'S ORDER AUTHORIZING TRUSTEL'S TO PURCHASE FARM AND TO SE IL CERTAIN SECURETIES.

11

\*\*

#

77

\*

##

"

#1

##

\*\*

James E. Walker, Surviving Trustee under the Will of George Markell deo'd for the use and benefit of Mary Byerly.

On.

PETITION.

Nc.7907 Equity.

In the Circuit Court

for Frederick County,

sitting as a Court

of Equity.

To the Honorable, the Judges of said Court; -

The Petition of Thomas A. Chapline and Charles Byerly Substituted Trustees under the Will of George Markell, deceased, respectfully shows unto your Honors;-

- 1st. That among the property of which the said George Markell, owned the time of his death, and which he dedirected to be sold by his Executors at either public or private has a large and valuable farm, situated in Frederick County; Maryland containing about 250 acres of land more or less, part of a tract of land called "Arcadie Resurveyed",
- 2. That your Petitioners beg to report that the heirs and distributees of George Markell had this farm appraised by Messers D.F.McKinney, Rush R. lewis, D.V. Stouffer and D.C. Kemp, in June 1905, who appraised same including the growing crop of Corn at \$93.75 per acre.
- 5. That your Petitioners aver that it would be to the benefit and advantage of the trust estate for this farm to be purchased by said Trustees especially as the said Mary Byerly one of the Children of the said Geo.Markell, or rather your Trustees for her, will be entitled to receive in this distribution be Edwin C.Markell and J.Roger McSherry, Administrators D.B.N.C.T.A, of Geo.Markell one fourth part of said Estate mounting to nearly the amount of the purchase price and said farm would make a great investment for said estate.
- 4. Your Petitioners prays your Honors to pass as order authorizing and empowering them as Trustfrom said ees to purchase said farm at and for the sum of (\$25,122.26) administrators D.B.N.C.T.A. including